

Cumulative Table of Cases

Connecticut Reports

Volume 329

(Replaces Prior Cumulative Table)

Arciniega v. Feliciano	293
<i>Writ of mandamus; counterclaim; whether party lacked standing to advance counterclaim; statutory grievance, discussed; whether acceptance by election officials of petitions bearing allegedly incorrect address of candidate constitutes ruling of election official pursuant to statute (§ 9-329a).</i>	
Beale v. Martins (Order) (See Rutter v. Janis).	904
Brown v. Commissioner of Correction (Order)	901
Callaghan v. Car Parts International, LLC	564
<i>Workers' compensation; whether Compensation Review Board properly upheld decision of workers' compensation commissioner that defendant employer was entitled to moratorium against paying plaintiff's future workers' compensation benefits; whether moratorium applied to proceeds that plaintiff retained under statute (§ 31-293 [a]) providing that, if employee brings action against third-party tortfeasor, one-third of employer's claim to those proceeds inures solely to employee's benefit; whether application of moratorium conflicted with and undermined purpose and plain language of § 31-293 (a); whether legislative history of § 31-293 (a) confirmed that legislature intended for employee alone to retain benefit of one-third reduction; claim that moratorium should apply to one-third reduction to avoid double recovery by employee.</i>	
Carroll v. Commissioner of Correction (Order).	907
Cator v. Commissioner of Correction (Order).	902
D'Attilio v. Statewide Grievance Committee	624
<i>Writ of mandamus; whether trial court properly granted defendants' motion to dismiss action for lack of subject matter jurisdiction; whether plaintiffs, as complainants in attorney disciplinary proceeding, lack standing to seek court intervention in grievance process; claim that trial court improperly declined to exercise inherent authority to oversee attorney conduct; adoption of trial court's memorandum of decision as proper statement of facts and applicable law.</i>	
Eubanks v. Commissioner of Correction	584
<i>Habeas corpus; claim of ineffective assistance of counsel; whether Appellate Court improperly reached merits of petitioner's claim that trial counsel rendered constitutionally ineffective assistance of counsel in failing to object on basis of double hearsay to admission of certain portions of transcript from prior court hearing that contained testimony of unavailable witness; whether petitioner distinctly raised claim in habeas court on which Appellate Court determined that trial counsel's performance was objectively unreasonable; claim that Appellate Court decision could be affirmed on alternative ground that Appellate Court correctly concluded that trial counsel's failure to object on basis of double hearsay was objectively unreasonable.</i>	
Ferreira v. Martins (Order) (See Rutter v. Janis)	904
Fiano v. Old Saybrook Fire Co. No. 1, Inc. (Order).	910
Gilchrist v. Commissioner of Correction (Order)	908
GMAC Mortgage, LLC v. Demelis (Order)	903
Henderson v. Commissioner of Correction (Order).	911
Hickey v. Commissioner of Correction	605
<i>Habeas corpus; claim of ineffective assistance of counsel; whether failure of petitioner's trial counsel to request instructions limiting jury's consideration of certain uncharged sexual misconduct evidence to issue of propensity resulted in prejudice to petitioner; whether Appellate Court properly remanded case to habeas court for further proceedings.</i>	
Hirschfeld v. Machinist (Order)	913
In re Athena C. (Order).	911
In re Taijha H.-B. (Order).	914
Jepsen v. Camassar (Order)	909
Jobe v. Commissioner of Correction (Order)	906

Johnson v. Commissioner of Correction (Order)	909
JPMorgan Chase Bank, N.A. v. Healey (Order)	912
Kutch v. Arisian	530
<i>Zoning; whether trial court correctly determined that municipal regulation of signs erected on homeowner's residential property was outside scope of authority granted to municipality under applicable statute (§ 8-2); whether homeowner's signs disparaging remodeling contractor were "advertising signs" under § 8-2; interpretation of term "advertising signs" in § 8-2, discussed; whether trial court abused its discretion in denying zoning enforcement officer's request to enjoin homeowner from occupying her residence until she obtained certificate of occupancy.</i>	
Mendillo v. Tinley, Renehan & Dost, LLP	515
<i>Declaratory judgment; whether trial court properly granted defendants' motion to dismiss; whether plaintiff's action was justiciable; whether trial court could afford any practical relief to plaintiff in action seeking judgment declaring that Appellate Court violated his constitutional rights in Sowell v. DiCara (161 Conn. App. 102) by upholding determination that plaintiff had violated Rules of Professional Conduct.</i>	
OneWest Bank, N.A. v. Frey (Order)	907
Osborn v. Waterbury (Order)	901
Puente v. Progressive Northwestern Ins. Co. (Order)	913
Rutter v. Janis (Order)	904
Samelko v. Kingstone Ins. Co.	249
<i>Action pursuant to statute (§ 38a-321) subrogating plaintiffs to insured's rights under automobile insurance policy with defendant insurer; whether trial court properly granted defendant's motion to dismiss for lack of personal jurisdiction; whether exercising personal jurisdiction over defendant satisfied corporate long arm statute (§ 33-929 [f] [1]) providing for jurisdiction over foreign corporation on cause of action arising out of contract to be performed in Connecticut; claim that insurance policy was contract to be performed in Connecticut because defendant promised to defend and indemnify insured nationwide; claim that due process clause of fourteenth amendment to federal constitution was offended by exercising personal jurisdiction over defendant.</i>	
Shirley P. v. Norman P.	648
<i>Marital dissolution; claim that property division award should be reversed when trial court's finding that defendant husband was solely responsible for marital breakdown rested exclusively on defendant's criminal conviction that subsequently was reversed on appeal; application of doctrine of collateral estoppel to judgments reversed on appeal, discussed.</i>	
Skakel v. Commissioner of Correction	1
<i>Habeas corpus; ineffective assistance of counsel; failure to investigate and call potential alibi witness; motion for reconsideration en banc of decision of this court reversing judgment of habeas court, which granted habeas petition; propriety of adding seventh panel member to consider motion for reconsideration en banc when original panel member has retired from Judicial Branch; whether trial counsel's failure to investigate whether potential alibi witness could provide testimony that was favorable to petitioner's alibi defense was unreasonable and, therefore, constituted deficient performance; whether trial counsel's deficient performance resulted in prejudice to petitioner; whether there was reasonable probability that outcome of petitioner's criminal trial would have been different if trial counsel had located potential alibi witness and had presented his testimony; partial alibis, discussed; strength of state's case against petitioner, discussed.</i>	
Stanley v. Taylor (Order)	909
State v. Abraham (Order)	908
State v. Acampora (Order)	903
State v. Acker (Order)	910
State v. Andaz (Order)	901
State v. Artiaco (Order)	906
State v. Bagnaschi (Order)	912
State v. Brown (Order)	913
State v. Castillo	311
<i>Attempt to commit robbery first degree; attempt to commit robbery second degree; motion to suppress; certification from Appellate Court; whether Appellate Court correctly determined that nearly seventeen year old defendant was not in custody for purposes of Miranda v. Arizona (384 U.S. 436) when police interrogated him</i>	

<i>in living room of his apartment; factors to be considered in determining whether suspect is in custody for purposes of Miranda, discussed; claim that court should exercise its supervisory authority over administration of justice and adopt per se rule requiring that juvenile waiver forms include language that waiver may apply in adult criminal proceedings if case is transferred from juvenile docket.</i>	
State v. Dijmarescu (Order)	912
State v. Grajales (Order)	910
State v. Jan G.	465
<i>Murder; assault of elderly person third degree; whether defendant was compelled to represent himself without proper waiver of right to counsel; whether defendant continued to be represented by counsel while presenting certain narrative testimony; State v. Francis (317 Conn. 452), distinguished.</i>	
State v. Jordan	272
<i>Assault second degree; self-defense; motion to preclude evidence; certification from Appellate Court; whether Appellate Court correctly concluded that trial court improperly excluded victim's subsequent domestic violence convictions, which were offered by defendant as evidence that victim initiated confrontation with defendant, when conduct forming basis for victim's convictions occurred subsequent to charged incident; whether Appellate Court correctly concluded that trial court's preclusion of evidence of victim's convictions was harmless error.</i>	
State v. Kaminski (Order)	905
State v. Kukucka (Order)	905
State v. Mara (Order)	902
State v. Moore (Order)	905
State v. Norman P.	440
<i>Sexual assault in spousal relationship; assault of elderly person second degree; assault of elderly person third degree; certification from Appellate Court; whether Appellate Court correctly concluded that trial court lacked discretion to decline to mark complainant's privileged counseling center records for identification following that court's determination that defendant failed to make requisite showing to require in camera review of those records; whether Appellate Court correctly concluded that trial court improperly declined to conduct in camera review of complainant's privileged counseling center records; whether Appellate Court correctly concluded that defendant's entire written statement to police was admissible pursuant to provision (§ 1-5 [b]) of Connecticut Code of Evidence; proper application of § 1-5 (b), discussed.</i>	
State v. Parnoff	386
<i>Disorderly conduct; certification from Appellate Court; claim that Appellate Court incorrectly concluded that evidence was insufficient to sustain defendant's conviction; whether defendant's statement that he would get gun and shoot two water company employees unless they left his property constituted fighting words that are unprotected by first amendment to federal constitution; claim that defendant's comment would cause reasonable addressee in position of water company employees to respond with imminent violence; whether subjective analysis of reaction of water company employees supported this court's independent conclusion that average water company employee would not react immediately and violently to defendant's statements.</i>	
State v. Rivera (Order)	907
State v. Roszkowski	554
<i>Murder; capital felony; criminal possession of firearm; death sentence; claim that defendant should not have been subjected to second penalty phase hearing because imposition of death penalty became unconstitutional upon enactment of P.A. 12-5 and because trial court improperly denied defendant's request for reexamination of his competency; claim that trial court improperly merged defendant's three murder convictions with his corresponding capital felony convictions; whether defendant's appellate claims related to his death sentence and to procedures by which that sentence was imposed were moot or unripe; whether trial court should have vacated defendant's murder convictions.</i>	
State v. Tierinni	289
<i>Sexual assault second degree; risk of injury to child; whether Appellate Court correctly concluded that defendant had waived claim regarding his right to be present during sidebar conferences at which certain evidentiary objections were discussed, insofar as he agreed to trial court's use of that procedure.</i>	

Tannone v. Amica Mutual Ins. Co.	665
<i>Underinsured motorist benefits; whether trial court properly granted defendant's motions for summary judgment on ground that underinsured vehicle was owned by self-insured rental car company and excluded from coverage under plaintiffs' insurance policies; claim that coverage exclusion that was authorized by state insurance regulation (§ 38a-334-6 [c] [2] [B]) was invalid as applied following passage of federal legislation (49 U.S.C. § 30106 [a] [2012]) that provided immunity to rental car companies for claims of vicarious liability for injuries caused by negligence of their lessees; whether federal legislation resulted in impermissible contradiction between public policy behind underinsured motorist statute (§ 38a-336 [a] [1] [A]) and § 38a-334-6 (c) (2) (B) of regulations; whether rental car company was self-insurer as to risks created by negligence of its lessees when it was statutorily immune from liability for such risks; claim that legislative and administrative acquiescence despite opportunity and ability to respond to passage of federal legislation meant that there was no intent to disturb self-insurer exclusion authorized by § 38a-334-6 (c) (2) (B) of regulations.</i>	
Teixeira v. Home Depot, Inc. (Order).	903
Trinity Christian School v. Commission on Human Rights & Opportunities.	684
<i>Alleged employment discrimination by plaintiff religious institution; motion to dismiss employment discrimination complaint; interlocutory administrative appeal from defendant commission's denial of plaintiff's motion to dismiss employment discrimination complaint; trial court's dismissal of plaintiff's appeal for lack of jurisdiction; claim that trial court improperly granted commission's motion to dismiss appeal because statute (§ 52-571b [d]) prohibiting state from burdening religious beliefs immunizes religious institutions from employment discrimination actions, and claim that plaintiff's appeal therefore was proper under immunity exception to general prohibition against interlocutory administrative appeals; whether trial court correctly concluded that § 52-571b (d) did not purport to confer on religious institutions immunity from employment discrimination actions; recognition of ministerial exception to employment discrimination laws in Hosanna-Tabor Evangelical Lutheran Church & School v. Equal Employment Opportunity Commission (565 U.S. 171) as affirmative defense to otherwise cognizable employment discrimination claim rather than jurisdictional bar to such claim, discussed.</i>	
Walgreen Eastern Co. v. West Hartford	484
<i>Property tax appeal; assessments; whether trial court correctly determined true and actual value of property in statutory (§ 12-117a) appeal by plaintiff; whether consideration of actual rental income is required by statute (§ 12-63b [b]) for valuation of property under income capitalization market approach; First Bethel Associates v. Bethel (231 Conn. 731), discussed; whether trial court's determination that property's highest and best use was as national chain pharmacy was clearly erroneous; whether trial court correctly determined that plaintiff failed to prove claim of manifestly excessive assessment pursuant to statute (§ 12-119).</i>	
Williams v. New Haven	366
<i>Workers' compensation; whether Compensation Review Board properly upheld decision of workers' compensation commissioner denying defendant's motion to dismiss plaintiff employee's statutory (§ 31-290a) claim of retaliatory discharge; whether plaintiff's claim was precluded by collateral estoppel because it had been decided in prior arbitration under collective bargaining agreement; claim that Genovese v. Gallo Wine Merchants, Inc. (226 Conn. 475), which interpreted statute (§ 31-51bb) providing that no employee shall be denied right to pursue, in court of competent jurisdiction, cause of action arising under state statute solely because employee is covered by collective bargaining agreement, did not apply because plaintiff's claim was filed in forum other than Superior Court; whether phrase in § 31-51bb that employee can pursue claim in court of competent jurisdiction plainly and unambiguously manifested intent to apply exclusively to claims pursued in Superior Court; claim that § 31-51bb had been satisfied because plaintiff filed application to vacate prior arbitration award in Superior Court.</i>	